

DOCKET NO: 197864US0PCT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Rinta IBUKI, et al.

**RECEIVED**

SERIAL NUMBER: 09/643,260

**DEC 19 2000**

FILED: 26 October 2000

**TECH CENTER 1600/2900**

FOR: MEDICINAL COMPOSITIONS

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D. C. 20231

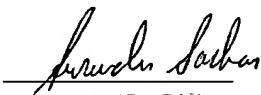
Sir:

Responsive to the notification dated *30 November 2000*, and in accordance with the provisions of 35 U.S.C. 371, Applicants submit herewith copy of the date-stamped filing receipt evidencing the filing of Rule 63 Declaration as well as a copy of the Declaration.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P. C.

  
\_\_\_\_\_  
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O.S.&M. File No. 197864US0PCT By NFO/dpp FF

Due Date None

Serial No. 09/673,260

**COPY**

In the Matter of the Application of Rinta JBUKI, et al.

For MEDICINAL COMPOSITIONS

The following has been received in the U.S. Patent Office on the date stamped hereon:

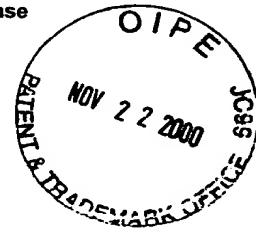
- \_\_\_\_ pps. Specification & \_\_\_\_ Claims (English Translation)  
 Combined Declaration, Petition & Power of Attorney (4 pages)  
 Submission of Declaration under 37 CFR 1.495  
 PCT Transmittal Letter  
  
 Verified Statement (Declaration) Claiming Small Entity Status  
 Submission of Verified Statement (Declaration) Claiming Small Entity Status  
 Check for \$ \_\_\_\_\_;  Dep. Acct. Order Form  
 Declaration of \_\_\_\_\_  
 Assignment \_\_\_\_ pages/PTO-1595  
 Letter to Official Draftsman  
 Letter Requesting Approval of Drawing Changes  
 Drawings \_\_\_\_ sheets  
 Preliminary Amendment  
 Information Disclosure Statement;  PTO-1449  
 Cited References ( )  
 \_\_\_\_\_ Search Report  
 Statement of Relevancy  
 Restriction Response  Election Response  
 Rule 132 Declaration  
 Petition  
 Notice of Appeal

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OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

UNITED STATES DEPARTMENT OF COMMERCE  
 Patent and Trademark Office  
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 Box PCT  
 Washington, D.C. 20231

MD  
12-8-00

U.S. APPLICATION NO.		FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/673260		IBUKI	R 197864US0PCT
OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT FOURTH FLOOR 1755 JEFFERSON DAVIS HIGHWAY ARLINGTON, VA 22202		INTERNATIONAL APPLICATION NO. PCT/JP99/02237	
		I.A. FILING DATE 26 APR 99	PRIORITY DATE 27 APR 98
		DATE MAILED NOV 2000	

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- A Designated Office (37 CFR 1.494),
- an Elected Office (37 CFR 1.495):
- U.S. Basic National Fee.
- Copy of the international application in:
  - a non-English language.
  - English.
- Translation of the international application into English.
- Oath or Declaration of inventors(s) for DO/EO/US.
- Copy of Article 19 amendments.
- Translation of Article 19 amendments into English.
- The International Preliminary Examination Report in English and its Annexes, if any.
- Translation of Annexes to the International Preliminary Examination Report into English.
- Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_
- Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_
- Assignment document.
- Power of Attorney and/or Change of Address.
- Substitute specification filed \_\_\_\_\_
- Verified Statement Claiming Small Entity Status.
- Priority Document.
- Copy of the International Search Report  and copies of the references cited therein.
- Other:

Rept To Notice 12-30-00

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
  - The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY  21 OR  31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice *MUST* be returned with this response.**

Enclosed:

- PCT/DO/EO/917
- Notice of Defective Translation
- PTO-875

FORM PCT/DO/EO/905 (December 1997)

Fred Smith

Telephone: 703-305-3654